

# **Exhibit B**

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

**SPACE EXPLORATION  
TECHNOLOGIES CORP.,**

**Plaintiff,**

**v.**

**NATIONAL LABOR RELATIONS  
BOARD, a federal administrative agency,  
JENNIFER ABRUZZO, in her official  
capacity as the General Counsel of the  
National Labor Relations Board, LAUREN  
M. McFERRAN, in her official capacity as  
the Chairman of the National Labor  
Relations Board, MARVIN E. KAPLAN,  
GWYNNE A. WILCOX, and DAVID M.  
PROUTY, in their official capacities as  
Board Members of the National Labor  
Relations Board, and JOHN DOE in his  
official capacity as an Administrative Law  
Judge of the National Labor Relations  
Board,**

**Defendants.**

Civil Action No. 1:24-cv-00001

**DECLARATION OF STEVEN SCHMITZ IN SUPPORT OF  
PLAINTIFF'S OPPOSITION TO MOTION TO TRANSFER**

Pursuant to 28 U.S.C. § 1746, I, Steven Schmitz, declare as follows:

1. I am a Senior Manager, Starship Engineering at Space Exploration Technologies Corp. (“SpaceX”).

2. In this role, I am responsible for and manage a team responsible for the development of structures for the Starship rocket. I oversee a team consisting of 15 engineers; in the summer of 2022 I had a team of approximately 24 with another 6 in close association. I am based at SpaceX’s Starbase facility in Boca Chica, Texas.

3. I make the following declaration based on my personal knowledge.

4. The team at Starbase is responsible for the design, manufacture, and launch of the Starship vehicle.

5. I have been based at Starbase from November 2020 through today, including in the spring and summer of 2022. I was present at the Starbase facility on June 15 and June 16, 2022. Over that two-day period, while at Starbase, I received, via multiple company communication channels, what was styled as an “Open Letter” that asked employees to show support for the contents through a survey or other response opportunities.

6. Based on my recollection, the spring and summer of 2022 were an extremely busy time at Starbase. The Starship team as a whole was focused on a number of firsts for the program: the first build of a flight booster; the first build of an orbital ship; the first integration of payload into the Starship vehicle. My team specifically was focused on several large milestones in our own realm of responsibility. We were finishing the integration of the first Starship with a functional payload bay, performing checkouts and tests on the new flight hardware, and performing detailed final analysis. My team was also in the midst of designing and building an entirely new payload integration facility.

7. When the Open Letter was initially distributed on June 15, 2022 across multiple communication channels it became the focal point of discussion in the wider Starship team for approximately a week. The response to the Open Letter varied significantly across the team with some voicing agreement with the sentiment of the Open Letter to others expressing dismay at a public letter that did not reflect their opinions. The shared sentiment across the team however was generally one of confusion in how to juggle addressing the contents of the Open Letter, discussing whether the Open Letter was constructive, and carrying out the mission that we as a team had set out to achieve.

8. For me personally the bulk of the week after the distribution of the letter was spent addressing the Open Letter. I normally meet with each of my team members in person several times a week to work through technical topics and professional development. During this period the majority of my direct and indirect employees approached me to talk about the contents of the letter instead of technical topics. I estimate half of my employees experienced difficulty focusing on their work during this time. Conversation with my peers during this time period also shifted away from technical topics to primarily the Open Letter as well as the discussion from our teams on the topic.

9. In the week following the Open Letter's distribution, I dedicated one of my weekly technical staff meetings to addressing the Open Letter and its distribution. The meeting was generally about the Open Letter as well as steering the team towards constructive means of engaging the content of the letter while remaining tightly focused on the mission at hand.

10. At the time the Open Letter was distributed there was significant travel by SpaceX personnel assigned to the Hawthorne facility to the Starbase facility because it was needed to support Starship development activity. As a result, it was not just Starbase-assigned

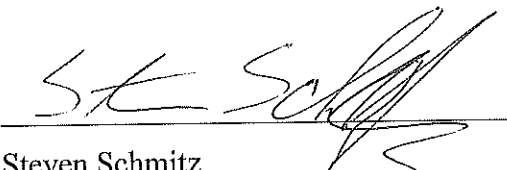
personnel experiencing disruption from the Open Letter, but also the many Hawthorne-based employees who were physically located at Starbase when the Open Letter was distributed.

11. I recall that on June 16, 2022, while I was at Starbase, I received a company-wide email from Gwynne Shotwell asking employees to stay on mission and informing us that certain individuals had been terminated in response to the distraction caused by the Open Letter.

12. I observed the reactions and distraction that Ms. Shotwell described in that email occur at Starbase.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on February 1, 2024, in Hawthorne, CA

  
Steven Schmitz